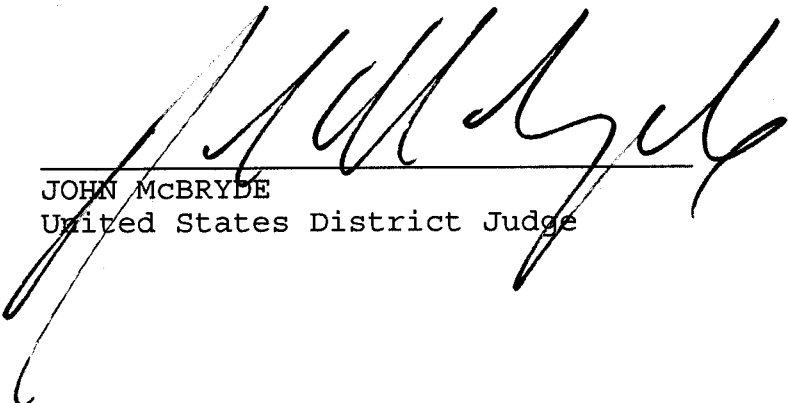


recommendations to which specific objection is made. United States v. Raddatz, 447 U.S. 667 (1980). The court is not addressing any nonspecific objections or any frivolous or conclusory objections. Battle v. United States Parole Comm'n, 834 F.2d 419, 421 (5th Cir. 1987).

Generally, for this court to have subject-matter jurisdiction over a claim brought under 28 U.S.C. § 2254, the petitioner must be in custody pursuant to the conviction he is attacking. See 28 U.S.C. § 2254(a). Solely because petitioner is attacking a sentence he is no longer serving, the magistrate judge recommended that this action be dismissed for lack of subject-matter jurisdiction. Petitioner does not specifically object to this finding and recommendation. Therefore,

The court accepts the findings, conclusions and recommendation of the magistrate judge and ORDERS that the petition in this action be, and is hereby, dismissed.

SIGNED August 4, 2006.



JOHN MCBRYDE
United States District Judge